

REMARKS

Claims 1, 3, 6, 10, 12 and 13 have been amended. Claims 1, 3-10, 12 and 13 remain in the application.

In the Office action mailed 11/02/2005, the Examiner noted that original claims 9 and 10 were written in "means plus function" form and questioned whether applicant wished to invoke 35 USC 112, sixth paragraph. Claims 9 and 10 have been amended so that they no longer are in the "means plus function" form.

Original claim 6 was objected to because it lacked a period at the end of the sentence. Amended claim 6 corrects this informality.

Original claims 1 and 10 stand rejected under 35 USC 103(a) as being unpatentable over Keller in view of Nagasawa et al. The Examiner took the position that it would have been obvious to replace the shoulder strap of Keller with one having an elastic cord attached thereto such as taught by Nagasawa et al. The shoulder strap assembly disclosed by Nagasawa et al comprises a shoulder strap 12 and a subassembly 18 that includes a plurality of resilient strap members 14 and a nonresilient strap member 16. The subassembly 18 is connected between one end of the shoulder strap 12 and a load 28.

Amended claims 1 and 10 define a golf bag including a mechanism for urging a shoulder strap into a retracted position and for allowing movement of the shoulder strap from the retracted position into an extended position. This mechanism includes "a single elastic cord" and "no inelastic cords" connected between the golf bag bottom member and the upper end of the shoulder strap. Therefore, amended claims 1 and 10 define an invention which is not obvious over any combination of Keller and Nagasawa et al.

Claim 3 stands rejected under 35 USC 103(a) as being unpatentable over Keller in view of Nagasawa et al and further in view of Zingale and Johnston. The Examiner has taken the position that it would have been obvious to modify the combination of Keller and Nagasawa et al (1) to include a retractor mechanism as taught by Zingale and Johnston and (2) to anchor the retractor mechanism in the bottom portion of the golf bag as taught by Zingale. Claim 3 distinguishes over any combination of Keller, Nagasawa et al, Zingale and Johnston for the same reasons amended claim 1 distinguishes over any combination of Keller and Nagasawa et al.

Claims 4-6 and 12 are rejected under 35 USC 103 as being unpatentable over Keller in view of Nagasawa et al, Zingale, Johnston and Siegert et al. The Examiner has taken the position that it would have been obvious to use a ring as taught by Siegert et al in the combination of Keller, Nagasawa et al, Zingale and Johnston to connect the resilient strap members from Nagasawa et al to another member such as the throat structure of Keller. It should be noted that claims 4 and 12 define the "ring" as connecting the elastic cord of amended claim 1 to an extension of the shoulder strap upper end while the link 8 of Siegert et al connects a strap 5 to a coil spring 9. Therefore, because of this difference and for the same reasons amended claims 1 and 10 distinguish over any combination of Keller and Nagasawa et al, claims 4-6 and 12 distinguish over any combination of Keller, Nagasawa et al, Zingale, Johnston and Siegert et al.


Claims 7-9 and 13 are rejected under 35 USC 103 as being unpatentable over Keller in view of Nagasawa et al, Zingale, Johnston, Siegert et al and Robinson. The Examiner has taken the position that it would have been obvious to use a pair of strips with hook-and-loop fasteners on their overlapping end portions as taught by Robinson to anchor the coupling 54 of Nagasawa et al to the bottom portion of the Keller golf bag. It is noted that claims 7-9 define the "anchor"

as being a pair of strips with overlapping end portions that are releasably held together. Contrary to the statements by the Examiner, Robinson does not disclose a pair of strips held together by releasable fasteners. Therefore, because of this difference and for the same reasons amended claim 1 distinguishes over any combination of Keller and Nagasawa et al, claims 7-9 and 13 distinguish over any combination of Keller, Nagasawa et al, Zingale, Johnston, Siegert et al and Robinson.

In view of the preceding remarks, applicant requests reconsideration and allowance of claims 1, 3-10, 12 and 13.

Respectfully submitted,

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Darrell F. Marquette
Reg. No. 28,560